

**Department of Mental Health
Exceptions Committee Meeting**

November 7, 2003

Minutes

In attendance were Rosie Anderson Harper, Connie Cahalan, Jodi Frederick, Terry Jackson, Rebecca Carson, and coordinator Rich Overmann.

Amanda Carpenter, a private individual, requested an exception from 9 CSR 10-5.200. She is disqualified from employment due to an administrative finding of first class neglect by the Joplin Regional Center in April 2001. This is the first request received by the committee related to the DMH disqualification registry and the committee decided to table the request pending several administrative decisions on how to handle such requests.

Theresa's Tender Care, Kansas City, requested a waiver of Medicaid certification requirements for a qualified mental retardation professional as established in 42CFR483.430. The request was made on behalf of an employee, Markita Melton. The committee did not approve the request because the documentation presented to the committee did not demonstrate that Ms. Melton has a level of education and experience that is necessary to fulfill the functions of a qualified mental retardation professional.

Comprehensive Mental Health Services, Independence, requested exceptions for two employees under 9 CSR 10-5.190. The first employee, Donald Smith, disclosed in a letter to the committee that in 1999 he was arrested for and subsequently pled guilty to "possession of a controlled substance, paraphernalia and drug trafficking". The committee noted that these crimes are not disqualifying under section 930.170 RSMo and 9 CSR 10-5.190. For this reason the committee did not consider the request.

The second employee, Thomas McGee, committed the following crimes: first degree arson, perjury, false report, and hindering prosecution. The committee denied the request because Mr. McGee is still on probation. The Division of Alcohol and Drug Abuse has an agreement with the Department of Corrections that persons who are on parole will not serve as staff or volunteers in facilities certified by the division. This policy is in support of a Department of Correction policy that forbids persons on parole from associating with other persons on parole.

November 7, 2003

Cynthia Claxton, MSW
Comprehensive Mental Health
10901 Winner Rd.
Independence, MO 64052

Dear Ms. Claxton:

On November 7, 2003, the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 5, 2003 regarding Donald Smith. Mr. Smith's letter to the committee indicated that he committed the following crimes: "possession of a controlled substance, paraphernalia and drug trafficking". None of these crimes are disqualifying under section 630.170 RSMo and 9 CSR 10-5.190 and therefore the committee did not consider the request.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely.

Richard H. Overmann
Exceptions Committee Coordinator

November 7, 2003

Cynthia Claxton, MSW
Comprehensive Mental Health
10901 Winner Rd.
Independence, MO 64052

Dear Ms. Claxton:

On November 7, 2003, the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 5, 2003 regarding Tom McGee. The committee denied the request because Mr. McGee is still on probation. The Division of Alcohol and Drug Abuse has an agreement with the Department of Corrections that persons who are on parole will not serve as staff or volunteers in facilities certified by the division. This policy is in support of a Department of Correction policy that forbids persons on parole from associating with other persons on parole.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee

Coordinator

November 12, 2003

Amanda Carpenter
326 E. Grand
Nevada, MO 64772

Dear Ms. Carpenter:

On November 7, 2003, the Department of Mental Health Exceptions Committee reviewed your request for an exception dated October 20, 2003. You applied for an exception from the department's rules that disqualify a person from employment if that person is listed on the department's disqualification registry. The department has recently received authorization to grant such exceptions but has not yet developed administrative guidelines relative to this type of request. For this reason the committee did not take action on your application. However the committee will make a decision on your case as soon as the necessary guidelines are in place.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

November 7, 2003

Theresa M. Nunally
Theresa's Tender Care
3810 E. 28th Terrace
Kansas City, MO 64128-1245

Dear Ms. Nunally:

On November 7, 2003, the Department of Mental Health Exceptions Committee reviewed your request for an exception dated September 30, 2003 regarding Markita Melton. The committee did not approve the request because the documentation presented to the committee did not demonstrate a level of education and experience necessary to fulfill the functions of a qualified mental retardation professional.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

